

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**UNITED STATES COMMODITY
FUTURES TRADING COMMISSION,**

Plaintiff,

vs.

**VICTOR YU, d/b/a VISCO
INTERNATIONAL, LTD., CURRENCY
TRADING CLUB and VICTORY FX
CLUB, and VFRS, LLC,,**

Defendants.

Case No.: 12-CV-3921 YGR

**ORDER GRANTING MOTION FOR EXPEDITED
DISCOVERY**

Plaintiff Commodity Futures Trading Commission (“CFTC”) has filed a Complaint for Injunctive and Other Equitable Relief and Civil Monetary Penalties Under the Commodity Exchange Act (“Complaint”) in this matter against Defendants Victor Yu d/b/a Visco International, Ltd., Currency Trading Club and Victory FX Club, and VFRS, LLC seeking injunctive and other relief; Motions for Statutory Restraining Order and Preliminary Injunction. Plaintiff CFTC has also filed a Motion for Expedited Discovery pursuant to Federal Rule of Civil Procedure 26(d) and the Rules of Practice of the United States District Court for the Northern District of California before the United States District Court for the Northern District of California (“Motion”). Having reviewed CFTC’s Complaint and Motion,


1 **THE COURT FINDS** that, given the nature of this matter and the Court's finding that a
2 statutory restraining order is warranted, expedited discovery is necessary to permit CFTC to discover
3 the existence and location of Defendants' funds and assets and the identities of Defendants'
4 customers, and to prepare for the preliminary injunction and other such hearings as the Court may
5 conduct in this matter.
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7 **IT IS THEREFORE ORDERED** that CFTC's Motion is **GRANTED**. Plaintiff is granted
8 leave to conduct expedited discovery, including (1) the taking of up to five depositions, (2) requesting
9 the production of documents from Defendants not otherwise covered by this Court's orders requiring
10 Defendant to provide CFTC with immediate access to Defendants' records, and (3) the issuance of
11 subpoenas to third parties. The discovery will be for the purpose of obtaining Defendants' financial
12 records, discovering the identity of Defendants' customers and the whereabouts of customer funds,
13 and preparing for a hearing on CFTC's Motion for Preliminary Injunction.
14

15 **IT IS FURTHER ORDERED** that depositions of the parties shall be taken upon
16 **three** business days' notice, and document production requests shall be responded to within
17 **three** business days. Non-parties shall be given **seven** days' notice for depositions and document
18 requests. Any discovery disputes are subject to this Court's Standing Order, paragraph 8.
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20 **IT IS SO ORDERED.**
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22 **Date: July 27, 2012**
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25 YVONNE GONZALEZ ROGERS
26 UNITED STATES DISTRICT COURT JUDGE
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